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To: Examiner TIMOTHY M. BROWN - USPTO From: Dean P. Alderucci
Fax: 703.872.9306 Pages: 21 including cover
Phone: 571.272.0773 Date: October 27, 2004
Re: Application Serial No. 09/540,034 Phone: 203-461-7035

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● Comments:

FORMAL RESPONSE:
REPLY BRIEF AND REQUEST FOR ORAL HEARING

Re: Application Serial No. 09/540,034
Walker Digital, LLC
Attorney Docket No. 99-078
Titled: "SYSTEMS AND METHODS WHEREIN A THIRD PARTY
SUBSIDY AND A MERCHANT SUBSIDY FACILITATE A
TRANSACTION"

CERTIFICATE OF TRANSMISSION

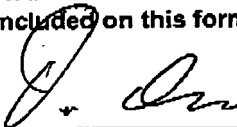
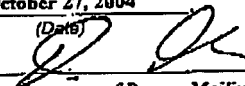
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on October 27, 2004

Dated: October 27, 2004 By: 
Dean P. Alderucci

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OCT 27 2004

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. 99-078	
In Re Application Of: JAY S. WALKER et al.					
Application No. 09/540,034	Filing Date March 31, 2000	Examiner BROWN, Timothy M.	Customer No. 22927	Group Art Unit 1648	Confirmation No. 2467
Title: SYSTEMS AND METHODS WHEREIN A THIRD PARTY SUBSIDY AND A MERCHANT SUBSIDY FACILITATE A TRANSACTION					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is:					
Reply Brief to Examiner's Answer, / 7 pp.; and Request for Oral Hearing, 1 pg., (x2).					
in the above identified application.					
<input type="checkbox"/> No additional fee is required.					
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<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-0271 as described below.					
<input checked="" type="checkbox"/> Charge the amount of \$150.00					
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ Signature			Dated: October 27, 2004		
Dean P. Alderucci Attorney for Applicants PTO Registration No. 40,484 Walker Digital, LLC 203.461.7035/phone 203.461.7300/fax DAlderucci@WalkerDigital.com					
cc:					
<div style="font-size: small;">I hereby certify that this correspondence is being sent by fax to fax # 703.672.9306 addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on October 27, 2004 (Date)  Signature of Person Mailing Correspondence Dean P. Alderucci Typed or Printed Name of Person Mailing Correspondence</div>					

P18A/REV03

PTO/SB/32 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR ORAL HEARING BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) <div style="text-align: center;">99-078</div>
I hereby certify that this correspondence is being deposited by <i>fax to fax no. 703.872.9306</i> addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>October 27, 2004</u>		In re Application of JAY S. WALKER et al. <hr/> <div style="display: flex; justify-content: space-between;"> <div>Application Number 09/540,034</div> <div>Filed March 31, 2000</div> </div> <hr/> For Systems and methods wherein a third party subsidy and a <hr/> <div style="display: flex; justify-content: space-between;"> <div>Art Unit 1848</div> <div>Examiner BROWN, Timothy M.</div> </div>
Signature <u><i>[Signature]</i></u> <hr/> Typed or printed name <u>Dean P. Alderucci</u>		
Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application. The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3)) <u>\$ 300.00</u> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0271</u>. I have enclosed a duplicate copy of this sheet. <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550. </div> <div style="text-align: right;"> <u>\$ 150.00</u> </div> </div> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>		
I am the <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,484</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____ </div> <div style="width: 50%; text-align: center;"> _____ Signature _____ Dean P. Alderucci Typed or printed name _____ October 27, 2004 Date _____ 203.461.7337 Telephone number </div> </div>		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.		

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I hereby certify that this correspondence is being deposited by <i>fax to fax no. 703-872-9306</i> addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>October 27, 2004</u>		In re Application of JAY S. WALKER et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 09/540,034</td> <td style="padding: 2px;">Filed March 31, 2000</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For Systems and methods wherein a third party subsidy and a</td> </tr> <tr> <td style="padding: 2px;">Art Unit 1648</td> <td style="padding: 2px;">Examiner BROWN, Timothy M.</td> </tr> </table>	Application Number 09/540,034	Filed March 31, 2000	For Systems and methods wherein a third party subsidy and a		Art Unit 1648	Examiner BROWN, Timothy M.
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For Systems and methods wherein a third party subsidy and a								
Art Unit 1648	Examiner BROWN, Timothy M.							
Signature <u><i>D. Alderucci</i></u> Typed or printed name <u>Dean P. Alderucci</u>								
Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application.								
The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3))		\$ <u>300.00</u>						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>150.00</u>						
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I am the								
<input type="checkbox"/> applicant/inventor.		<u><i>D. Alderucci</i></u> Signature						
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>Dean P. Alderucci</u> Typed or printed name						
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,484</u>		<u>October 27, 2004</u> Date						
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.		<u>203.461.7337</u> Telephone number						
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<input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.								

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